

STATE ALLOCATION BOARD

1130 K Street, Suite 400
Sacramento, CA 95814

**IMPLEMENTATION COMMITTEE MINUTES**

June 4, 2004

East End Complex
1500 Capitol Avenue
Rooms 72.149 B & 72.151A
Sacramento, CA

Members Present

Bruce Hancock, SAB
Lori Morgan, OPSC
Fred Yeager, CDE
Dave Doomey, CASH
Beth Hamby, LAUSD
Cathy Allen, ACS (Alternate for Bill Cornelison)
Jay Hansen, SBCTC (a.m. only)

Dennis Dunston, CEF
Constantine Baranoff, SSD
Dennis Bellet, DSA
Blake Johnson, DOF
Brian Wiese, AIA
John Palmer, CASBO
Gary Gibbs, CBIA

Members Absent

Debra Pearson, SSDA

The meeting was called to order at 9:35 a.m.; there were 14 members present and 1 absent. The minutes from the April 1, 2004 meeting were approved as written. (The May 7, 2004 Implementation Committee Meeting was cancelled.)

COMMITTEE CHAIR

The Chair recognized Cathy Allen as the alternate for Bill Cornelison.

CRITICALLY OVERCROWDED SCHOOLS (COS) PROGRAM

T.J. Rapozo and Jessica Parr of the OPSC staff presented this item and discussed the current eligibility requirements established for the conversion of COS projects. The Committee noted that COS provisions are not a separate program, but rather a preliminary step to establish a reservation of funding prior to complying with all normal School Facility Program (SFP) new construction project requirements.

Various participants in the COS Program voiced concerns regarding the second eligibility check at the time of conversion. Discussion included the following:

- Contention that the cohort survival projection method (per the Education Code) was not an accurate projection calculation in all instances.
- If a project was started and is not able to obtain funding, the community support for the project and district would be lost due to the time and money invested.

CRITICALLY OVERCROWDED SCHOOLS (COS) PROGRAM (cont.)

- Due to rapid growth and necessity for immediate facilities, many pupils are being bussed from one High School Attendance Area (HSAA) to another HSAA. Enrollment is counted by CBEDS, not attendance; therefore, the density of pupils in one HSAA is not captured accurately. The Committee commented that this issue appears to have merit which would support an alternate method of eligibility justification and noted possible upcoming legislation to address the issue.

Staff outlined the following alternatives:

- (1) Modify calculation of un-housed pupils, using one or more of the following methods: a) current enrollment, instead of projection; b) a 3 year projection instead of 5 year projection; c) changing the number of years of data included in projection; or d) using residence data instead of enrollment to create projection.
- (2) Establish “un-housed need justification with Qualifying Pupil (QP) check before 2 years (to determine if district’s sites are still overcrowded), plus a Multi-Track Year-Round Education requirement and an SFP eligibility update after 2 years.
- (3) Not requiring an eligibility check at the time of conversion.

Participants voiced the following alternatives to staff’s proposal:

- Strong support was expressed for consolidation of (a) and (d) from above, which could take into consideration the current year CBEDS and residence.
- No re-justification of eligibility, similar to the Charter School Facilities program.
- A check of the QPs but not the SFP eligibility, without the MTYRE requirement.
- Reporting residence data (instead of CBEDS) utilizing the current year enrollment, rather than a projection.

It was the consensus of Staff and the Committee that some type of second check of the district’s SFP eligibility at the time of conversion is necessary in light of the intent of the SFP program to provide housing for un-housed pupils. Among eleven of the fifteen school districts directly involved in the COS Program, there was unanimous agreement that a check of the QPs without the MTYRE requirement would work best for them as a supplemental test to be applied if the new construction eligibility was insufficient at the time of the submission of the project conversion application. These COS districts also indicated that Alternative Number 1 a. and d. would be a fair and practical test of continued need.

Staff’s report and the Chair indicated that all of the changes discussed would require legislative change. The Chair responded to questions about the cohort language in law by indicating that the SAB approved cohort projection method, that was in place at the time that SB 50 was written, is the method that the law requires the SFP to use. The OPSC staff will prepare a report to the SAB reflecting the alternatives as refined by the Committee’s discussion and that indicates that some urban districts have concerns with the accuracy of the cohort calculation.

SCHOOL FACILITY PROGRAM MODERNIZATION (SB 15 and AB 1244)

Eric Bakke of the OPSC staff presented this item which was continued from the April 1, 2004 Implementation Committee meeting. Since the provisions of AB 1244 and SB 15 and were enacted to:

- Allow districts to receive an additional apportionment for the modernization of permanent school buildings every 25 years, or portable classrooms every 20 years, after the date of the previous State apportionment.

SCHOOL FACILITY PROGRAM MODERNIZATION (SB 15 and AB 1244) (cont.)

- For a portable classroom that is eligible for a second modernization, require school districts to use the modernization funds to replace the portable classroom and to certify that the existing portable classroom will be removed unless the school district is able to document that modernizing the portable classroom is a better use of public resources.
- Stipulate that the replacement of the portable classroom(s) will not affect the capacity and eligibility of the school district and may not be adjusted.

Staff revised its proposal to permit a variety of documentation methods, including other evidence satisfactory to the State Allocation Board (SAB), when districts request the second modernization of a portable classroom in lieu of its replacement. Staff also clarified that districts could switch the modernization options previously selected on the *Eligibility Determination*, Form SAB 50-03. Staff provided examples of various funding scenarios to illustrate how modernization eligibility is affected by a switch in options. Since each option is capped, either by classroom capacity or by enrollment of the site, a school site cannot gain more eligibility than it would otherwise be eligible. Consequently, staff proposed that districts should be given the opportunity to switch options at any time as appropriate.

The item will be presented to the June 2004 SAB meeting for adoption and approval.

MODERNIZATION – 50 YEAR OLD PUPIL GRANTS

Staff members Liz Yokoyama and Karen Sims presented clarification amendments to Regulation Section 1859.78.8 which delineates the manner in which 50-year old pupil grants are calculated pursuant to Education Code (EC) 17074.26. The regulation amendments presented by staff clarify the meaning of the work “project” for purposes of reporting the 50-year old or older classrooms and square footage to determine the appropriate grants. Misinterpretation had been taking place that resulted in the erroneous completion of the classroom/square footage information assigned to 50 year old pupil grants on the Application for Funding.

As the proposal was presented, Staff clarified that the 50-year old pupil grant was merely a “subset” of the site’s eligibility (not added to the site’s modernization baseline). Staff also reiterated that, as with all modernization eligibility, the 50-year old pupil grants:

- Are “bank” of eligible modernization grants
- Can be utilized as districts deem appropriate as long as the cumulative number of 50-year old pupil grants requested in all modernization funding applications for the site is not exceeded.

The clarifications to the regulations will be presented to the June 2004 State Allocation Board for adoption and approval.

ADJOURNMENT AND NEXT MEETING

The meeting adjourned at 3:40 p.m. The next Implementation Committee meeting is scheduled for Friday, July 9, 2004 at 9:30 a.m. and will be held 1500 Capitol Avenue, Room(s) 72.149B & 72.151A, in Sacramento, California.